

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**
KENNETH H. G.,

Plaintiff,

**5:20-cv-1395
(GLS/DEP)**

v.

**COMMISSIONER OF SOCIAL
SECURITY,**

Defendant.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

Olinsky Law Group
250 South Clinton Street, Suite 210
Syracuse, New York 13202

HOWARD D. OLINSKY, ESQ.
ALEXANDER CHARLES
HOBACA, ESQ.

FOR THE DEFENDANT:

HON. CARLA B. FREEDMAN
United States Attorney
100 South Clinton Street
Syracuse, NY 13261

NATASHA OELTJEN
Special Assistant U.S. Attorney

Anatoly Shnaider
Regional Chief Counsel
Office of Regional Counsel, Region I
625 JFK Building
15 New Sudbury Street
Boston, MA 02203

Gary L. Sharpe
Senior District Judge

ORDER

The above-captioned matter comes to this court following a Report and Recommendation (R&R) by Magistrate Judge David E. Peebles duly filed

February 7, 2022. (Dkt. No. 24.) Following fourteen days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the R&R for clear error, it is hereby

ORDERED that the Report and Recommendation (Dkt. No. 24) is **ADOPTED** in its entirety; and it is further

ORDERED that plaintiff's motion for judgment on the pleadings (Dkt. No. 18) is **GRANTED**; and it is further

ORDERED that defendant's motion for judgment on the pleadings (Dkt. No. 21) is **DENIED**; and it is further

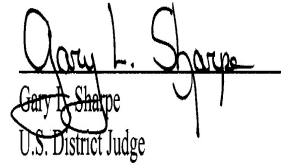
ORDERED that the determination of the Commissioner is **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings; and it is further

ORDERED that the clerk is directed to enter judgment and close this case; and it is further

ORDERED that the Clerk provide a copy of this Order to the parties in accordance with the Local Rules of Practice.

IT IS SO ORDERED.

March 4, 2022
Albany, New York


Gary L. Sharpe
U.S. District Judge